

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LAMAR ADVERTISING OF PENN,
LLC,

Plaintiff,

23-CV-113 (JLS)

v.

STATE OF NEW YORK; STATE OF
NEW YORK DEPARTMENT OF
TRANSPORTATION; MARIE
THERESE DOMINGUEZ; FRANK P.
CIRILLO, SR/WA; KATHLEEN JOY,
ESQ.; CAMERON SCHULZ; PATRICIA
A. MITALSKI; KELLY MORRISSEY;
THERESA M. GILBERT; and JARED
OMERHODZIC,

Defendants.

ORDER

For the reasons stated on the record today, Plaintiff's motion to remand (Dkt. 3) is GRANTED in part and DENIED in part, as follows. The Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims, and retains jurisdiction over Plaintiff's federal law claims.

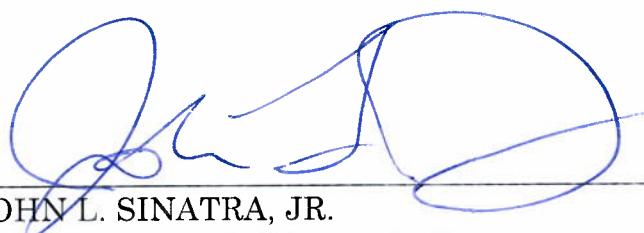
As such, Plaintiff's first, second, and third causes of action are severed and remanded to New York State Supreme Court, Erie County, in their entirety, and Plaintiff's fourth, fifth, sixth, seventh, eighth, and ninth causes of action are severed and remanded to New York State Supreme Court, Erie County, to the extent they are based on New York law.



The Court retains jurisdiction over Plaintiff's fourth, fifth, sixth, seventh, eighth, and ninth causes of action to the extent they are based on federal law. Further proceedings in this action are hereby STAYED pending resolution of Plaintiff's claims in state court. The parties are directed to submit a status report at that time.

SO ORDERED.

DATED: April 25, 2023
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE